

**DECLARATION AND POWER OF ATTORNEY**  
**(Case No. 97,429)**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship is as stated below next to my name.

I believe that we are the first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Recombinant P37/FlaA as a Diagnostic Reagent**

the specification of which

is attached hereto.  
 was filed as U.S. Patent Application Serial No. 08/\_\_\_\_\_ on \_\_\_\_\_.  
 was filed as PCT Application Serial No. \_\_\_\_\_ on \_\_\_\_\_.  
 as amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is not claimed:

<u>Number</u>	<u>Country</u>	<u>Filed</u>	<u>Priority Not Claimed</u>
1.			<input type="checkbox"/>
2.			<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional Application(s) for Patent listed below:

<u>Application Number</u>	<u>Filing Date</u>
1.	
2.	

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the earliest filing date of the PCT application.

The undersigned hereby appoint the following attorneys and agents with full power of substitution and revocation to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.:

Denis A. Berntsen	Reg. No. 26707	Lawrence Aaronson	Reg. No. 35818
John J. McDonnell	Reg. No. 26949	Matthew J. Sampson	Reg. No. 35999
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as our Attorneys and Registered Patent Agents, the mailing address and telephone number of each of whom is McDonnell Boehnen Hulbert & Berghoff, 300 South Wacker Drive, Chicago, Illinois 60606, and (312) 913-0001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of joint inventor: Robert D. Gilmore, Jr.

Inventor's signature



Date 1/5/98

Residence:

Citizenship:

Post Office Address:

United States of America

Full name of joint inventor: Barbara JB Johnson

Inventor's signature



Date 1/5/98

Attest: *Robert D. Gilmore, Jr., Inventor*